GOVERNMENT OF ANDHRA PRADESH
A B S T R A C T

Labour Factories Boilers & Insurance Medical Services Department – Industrial Disputes Act 1947 – Dispute between the Management of Superintending Engineer Office of the Chief Engineer, O & M LSHES, Mothugudem, Chintoor Mandal erstwhile Khammam District now in East Godavari District and the contract workers represented by Sri G.Ramanjaneyulu Contract Labour S/o G.Gopalam,aged about 49 years Donkarai Village L S Project East Godavari District and 3 other petitioners in W.P.No.20016 of 2019 – Referring to the dispute for adjudication to the Industrial Tribunal–cum- Labour Court, Visakhapatnam – Orders – Issued.

LABOUR, FACTORIES, BOILERS & INSURANCE MEDICAL SERVICES (OP) DEPARTMENT

G.O.RT.No. 512 Dated: 05-10-2020

Read the following:-

1. G.O.Rt.No.489, Labour, Employment, Training & Factories(Lab.I) Department, dt.01.03.2008
2. Judgement dt.25.02.2020 in W.P.No.20016/2019of Hon`ble High Court, Andhra Pradesh,Amaravathi.
3. Letter No.Lab-CVI(MISC)/i/2020-OP-I, dt.6.7.2020, LET & F (OP) Department, Government of Andhra Pradesh
4. Letter No.422/Lab.II/A1/2020, dt.23.7.2020 of LET & F Department, Govt. Of Telangana.
5. Lr.Dis No.60/2020, dt.29.07.2020 from the 1st Addl. District and Session Judge, Warangal,FAC: Chairman-Cum-Presiding Officer, Industrial Tribunal-cum-Labour Court, Warangal.

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ORDER:-

In the G.O.1st read above, Government in exercise of the powers conferred by the clause (d) subsection (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) the erstwhile Government of Andhra Pradesh have referred the dispute between the Management of Superintending Engineer Office of the Chief Engineer, O & M LSHES, Mothugudem,Chintoor Mandal Khammam District and the (5) contract workers represented by the General Secretary, A.P.Genco Transco & Discoms Workers Union (Regd No.H.43), Paloncha, Khammam District to Industrial Tribunal, Warangal for adjudication. The reference was registered as Industrial Dispute No.34 of 2008 on the file of the Industrial Tribunal Warangal and the matter was underwent adjournment till 2015. On 04-09-2015 the representative of the respondent and the petitioners submitted to the Tribunal that the matter pertains to Sileru region which is now in Andhra Pradesh as per the Andhra Pradesh Re organization Act and the present Tribunal have no territorial jurisdiction to adjudicate the dispute. The Industrial Tribunal-cum-Labour Court at Warangal returned the reference un-passed for presenting / referring the dispute to the tribunal having jurisdiction under intimation to the parties on 31 st March, 2016.

2. The petitioners approached the Hon'ble High Court of Andhra Pradesh by filing the W.P. No.20016 of 2019 with a prayer to direct the 1st respondent i.e., Principal Secretary, LET&F Dept., Government of Andhra Pradesh to consider the case of the petitioners to refer the reference under Section 10(1)(d)of Industrial Disputes Act, 1947 to the tribunal having jurisdiction. The Hon`ble High Court in its order dt.25.2.2020 directing the 1st respondent I.e., the Prl.Secretary to Govt., LET & F Dept., Govt. Of AP to take all steps that are necessary as required under law by following up with the Principal Secretary to Government of Telangana. The 1st respondent is directed to follow the provisions of the Industrial Disputes Act, 1947 and to make an appropriate reference to the appropriate Tribunal.

3. Accordingly, in the letter 3rd read above had make correspondence with the Principal Secretary to Govt., LET & F Department, Government of Telangana. In the letter 5th

P.T.O.

read above, the Chairman- Presiding Officer, Industrial Tribunal and Labour Court, Warangal has replied that he had already furnished the relevant material vide letter dt.21.4.2016 to the Government of Telangana.

4. In this regard, the Government of Andhra Pradesh is of the opinion that an industrial dispute exists between the Management of Superintending Engineer Office of the Chief Engineer, O & M LSHES, Mothugudem,Chintoor Mandal erstwhile Khammam District now in East Godavari District and the contract workers represented by Sri G.Ramanjaneyulu Contract Labour S/o G.Gopalam aged about 49 years Donkarai Village L S Project East Godavari District and 3 other petitioners in WP No.20016 of 2019 is necessary to refer the said dispute for adjudication.

5. Now, therefore in exercise of the powers conferred by the clause (d) sub-section (1) of Section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) the Government of Andhra Pradesh hereby refers the said dispute for adjudication to the Industrial Tribunal – cum –Labour Court, Visakhapatnam. The Industrial Tribunal- cum-Labour Court, Visakhapatnam is requested to submit its award on the above dispute to the Government within a period of six months from the date of issue of this G.O.

6. The Chairman-cum-Presiding Officer, Industrial Tribunal-cum-Labour Court, Visakhapatnam is also requested to make correspondence to the Chiraman-cum-Presiding Officer, Industrial Tribunal-cum-Labour Court, Warangal and obtain the information in I.D.34 of 2008 and material record and also other material documents.

7. The special Commissioner of Labour shall pursue the matter with both the Tribunals and Government of Telangana and see that the material content pertaining to the I.D.34 of 2008 be transferred to The Chairman-cum-Presiding Officer, Industrial Tribunal-cum-Labour Court, Visakhapatnam from the Chairman-cum-Presiding Officer, Industrial Tribunal-cum-Labour Court, Warangal.

(BY ORDER IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B. UDAYA LAKSHMI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Special Commissioner of Labour, Andhra Pradesh, Vijayawada.
The Chairman-cum-Presiding Officer, Industrial Tribunal-cum-Labour Court, Visakhapatnam
Copy to
The GP for Hon`ble High Court, Labour
The Principal Secretary to Govt., LET & F Department, Government of Telangana, BRKR
Buildings, Hyderabad.
The Commissioner of Labour, Government of Telangana, Hyderabad.
The Chairman-cum-Presiding Officer, Industrial Tribunal-cum-Labour Court, Warangal.
SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER.